

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
NORTHERN DIVISION  
No. 2:19-CR-18-D

UNITED STATES OF AMERICA,

v.

BARRINGTON STRAUCHN, JR.,

Defendant.

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**ORDER**

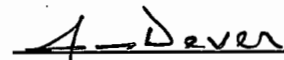
On September 16, 2022, the court entered a comprehensive order denying, inter alia, Barrington Strauchn, Jr.'s ("Strauchn" or "defendant") motion for compassionate release. See [D.E. 127]. Strauchn is a violent recidivist who engaged in very serious criminal conduct and obstructed justice in his criminal case. See id. at 2–4, 9. Strauchn also has performed poorly on supervision. See id.

In Strauchn's motion for reconsideration, Strauchn states that the warden has recommended Strauchn for home confinement due to Strauchn's history of smoking. See [D.E. 129-1]. The court recognizes its discretion to reduce Strauchn's sentence and order home confinement as part of supervised release. See United States v. Simon, No. 20-6701, 2022 WL 337126, at \*1 (4th Cir. Feb. 4, 2022) (per curiam) (unpublished). Nonetheless, the court does not believe a sentence reduction or home confinement is appropriate for Strauchn. See [D.E. 127]. Moreover, the Bureau of Prisons ("BOP") can make its own decision concerning home confinement. See 18 U.S.C. §§ 3621(b), 3624(c); United States v. Saunders, 986 F.3d 1076, 1078 (7th Cir. 2021); United States v. Brummett, No. 20-5626, 2020 WL 5525871, at \*2 (6th Cir. Aug. 19, 2020) (unpublished) ("[T]he authority to grant home confinement remains solely with the Attorney General and the BOP."); United States v.

McCoy, No. 3:19-CR-35-KDB-DCK, 2020 WL 5535020, at \*1–2 (W.D.N.C. Sept. 15, 2020) (unpublished); United States v. Gray, No. 4:12-CR-54-FL-1, 2020 WL 1943476, at \*3 (E.D.N.C. Apr. 22, 2020) (unpublished).

Strauchn is a violent recidivist who should remain in prison. If the BOP wants to release Strauchn to home confinement that is a decisions for the BOP, and the BOP must live with the consequences. Strauchn's motion for reconsideration [D.E. 129] is DENIED.

SO ORDERED. This 28 day of September, 2022.

  
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JAMES C. DEVER III  
United States District Judge